

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**NATIONAL RIFLE ASSOCIATION OF
AMERICA,**

Plaintiff and Counter-Defendant,

V.

ACKERMAN MCQUEEN, INC.,

Defendant and Counter-Plaintiff,

and

**MERCURY GROUP, INC., HENRY
MARTIN, WILLIAM WINKLER, AND
MELANIE MONTGOMERY**

Defendants.

Case No. 3:19-cv-02074-G

ACKERMAN MCQUEEN, INC.'S LIST OF TRIAL WITNESSES

Pursuant to Federal Rule of Civil Procedure 26(a)(3)(A) and the Court’s October 13, 2020 Scheduling Order (ECF 174), as amended (ECF 358), Defendant/Counter-Plaintiff Ackerman McQueen, Inc. (“**AMc**”) and Defendants Mercury Group, Inc. (“**Mercury**”), Henry Martin (“**Martin**”), William Winkler (“**Winkler**”), and Melanie Montgomery (“**Montgomery**”) (collectively, “**AMc**”) hereby submit their *List of Trial Witnesses*. AMc may call any of the following individuals/entities as witnesses at trial. AMc reserves the right to supplement or amend this trial witness list based on new information, for purposes of rebuttal, for purposes of impeachment, or based upon how the trial of this matter proceeds. AMc further reserves the right to call any witnesses listed on the National Rifle Association of America’s (“**NRA**”) lists of trial witnesses. AMc further reserves the right to challenge the admissibility of any testimony from the witnesses named in any Trial Witness List, specifically including, but not limited to, the NRA’s

expert witnesses. AMc further reserves the right to call any of the following witnesses live as opposed to by deposition.

February 7, 2022.

Respectfully submitted,

/s/ Brian E. Mason

Brian E. Mason, Esq.

Texas Bar No. 24079906

mason.brian@dorsey.com

G. Michael Gruber, Esq.

Texas Bar No. 08555400

gruber.mike@dorsey.com

Jay J. Madrid, Esq.

Texas Bar No. 12802000

madrid.jay@dorsey.com

J. Brian Vanderwoude, Esq.

Texas Bar No. 24047558

vanderwoude.brian@dorsey.com

DORSEY & WHITNEY LLP

300 Crescent Court, Suite 400

Dallas, Texas 75201

(214) 981-9900 Phone

(214) 981-9901 Facsimile

**ATTORNEYS FOR DEFENDANTS /
COUNTER-PLAINTIFF**

CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2022, I served this document on all counsel of record by a manner authorized by Federal Rules of Civil Procedure 5(b)(2).

/s/ Brian E. Mason

BRIAN E. MASON

LIST OF TRIAL WITNESSES¹

Pursuant to the Court's Rule III.A.2 Specific Requirements, AMc identifies the following trial witnesses as probable, possible, expert, and/or records custodian and provides a brief description of the testimony to be covered by each respective witness. AMc reserves the right to elicit testimony from each of the witnesses below on additional topics or testimony not listed herein.

Witness Name	Contact Information	Classification	Description of Testimony
Arulanandam, Andrew ²	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	NRA media and public relations; correspondence between the NRA and AMc pursuant to the Services Agreement as designee; termination of AMc/NRA business relationship; NRA's request for NRATV information
Azimi, Ariana	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Possible; Record Custodian	Potential records custodian; draft September 2018 letter from Angus McQueen to Wayne LaPierre; NRATV; billing; budgeting; invoices
Boren, Dan (by deposition)	c/o Michael Burrage WHITTEN BURRAGE 512 N. Broadway Ave Ste. 300 Oklahoma City, OK 73102 (405) 516-7800	Probable	Falsity of "extortion/coup" narrative; lack of knowledge concerning internal AMc operations; NRA's allegations regarding AMc double billing
Brewer, William A.	5210 Deloache Dallas, Texas 75220	Probable	Personal involvement in underlying dispute, including facts and circumstances surrounding multiple examinations of AMc books and records; accusations of noncompliance, threats of RICO indictment and FBI raids, providing "facts" to NRA "witnesses" to support the lawsuits; use of family knowledge in conjunction with said lawsuits; NRA's audits of AMc; NRA's governance

¹ Unless otherwise indicated, AMc intends to present these witnesses live at trial.

² If the NRA does not voluntarily bring Mr. Arulanandam to trial and/or accept a trial subpoena, AMc reserves the right and intends to call Mr. Arulanandam by deposition.

Witness Name	Contact Information	Classification	Description of Testimony
Brewer, Skye (by deposition)	c/o Stephen P. Younger FOLEY HOAG, LLP 1301 Ave. of the Americas New York, New York 10019 (646) 927-5565	Probable	Knowledge of AMc business operations and character of Angus McQueen; threats made from her husband William Brewer III to AMc executives; communications from her husband passed along to third parties concerning AMc, the NRA, and / or this litigation
Bergin, Rich	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Expert	Expert in software and social media metrics and analytics and rebuttal to NRA experts on same as set forth in his report
Carter, Travis	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Possible	Public relations services provided by the Brewer Firm and services performed for the NRA since March 2018
Cotton, Charles ³	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	Col. North request for independent review of Brewer Firm fees and engagement; audit committee, including response to NRA whistleblower concerns about internal controls and vendor issues and activities relating to Col. North Contract; possession of Col. North Contract; NRA Bankruptcy; NRA's governance; NYAG investigation and lawsuit against the NRA
Cox, Chris (by deposition)	c/o Thomas Buchanan WINSTON & STRAWN, LLP 1901 L Street NW Washington, D.C. 20036 (202) 282-5787	Probable	Falsity of "extortion/coup" narrative; services performed by AMc for the NRA; Col. North's request for independent review of Brewer Firm fees and engagement

³ If the NRA does not voluntarily bring Mr. Cotton to trial and/or accept a trial subpoena, AMc reserves the right and intends to call Mr. Cotton by deposition.

Witness Name	Contact Information	Classification	Description of Testimony
Darley, Brian	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Probable	Services performed by AMc for NRA; NRATV, including but not limited to analytics and the PIP dashboard; NRATV social media accounts
Dillon, Susan	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	September 2018 audit by the Brewer Firm of AMc books and records; Forensic Risk Alliance February 2019 audit of AMc books and records
Duffy, Lacey	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Probable	Services performed by AMc for the NRA; Carry Guard; AMc billing, invoicing, and budgeting procedures, including meetings with NRA executives; NRA's audits of AMc; interactions with the Brewer Firm; Wayne LaPierre representations to AMc and AMc's reliance on same
Erstling, Michael ⁴	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	Invoicing practices between AMc and the NRA; failure of compliance by the NRA relating to same; internal NRA budgeting procedure
Farrell, Peter	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Possible	Services performed by AMc for NRA; NRATV, including but not limited to analytics and the PIP dashboard
Frazer, John ⁵	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	AMc/NRA business relationship; services performed by AMc for the NRA; invoicing practices between AMc and the NRA; failure of compliance by the NRA relating to same; NRA bylaws and policies/procedures; approval by NRA of Col. North Contract; NRA's

⁴ If the NRA does not voluntarily bring Mr. Erstling to trial and/or accept a trial subpoena, AMc reserves the right and intends to call Mr. Erstling by deposition.

⁵ If the NRA does not voluntarily bring Mr. Frazer to trial and/or accept a trial subpoena, AMc reserves the right and intends to call Mr. Frazer by deposition.

Witness Name	Contact Information	Classification	Description of Testimony
			audits of AMc; NRA's termination, suspension, and/or accusations made relating to certain vendors, executives, officers, and board members; NRA's governance; NYAG investigation and lawsuit against the NRA
Grable, Todd	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	NRATV analytics presentations made by AMc to NRA
Greenberg, Jesse	3902 Fairfax Avenue Dallas, Texas 75209	Possible	Services performed by AMc for NRA; NRATV, including but not limited to analytics, AMc's retention of PIP, and the PIP dashboard; Wayne LaPierre representations to AMc and AMc's reliance on same
Gruber, G. Michael	DORSEY & WHITNEY LLP 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Expert	Expert on Defendants' attorneys' fees and in rebuttal to any request for same by the NRA
Hallow, Millie ⁶	Alice Fisher c/o LATHAM & WATKINS 555 Eleventh Street, NW Suite 1000 Washington DC, 20004 (202) 637-2132	Probable	Falsity of "extortion/coup" narrative; Russia investigation
Harrison, Todd	McDERMOTT WILL & EMERY The McDermott Building 500 North Capital Street, NW Washington DC, 20001 (202) 756-8000	Expert	Expert on Defendants' attorneys' fees and in rebuttal to any request for same by the NRA

⁶ If the NRA does not voluntarily bring Ms. Hallow to trial and/or accept a trial subpoena, AMc reserves the right and intends to call Ms. Hallow by deposition.

Witness Name	Contact Information	Classification	Description of Testimony
Hart, Steve (by deposition)	501 Murfreesboro Road Franklin, Tennessee 37064	Probable	History of AMc/NRA business relationship, including but not limited to the 2017 Services Agreement and Amendment; facts and circumstances surrounding Col. North Contract; retention of Brewer Firm; AMc compliance with various NRA records examinations; Brewer Firm work for the NRA; termination of AMc/NRA relationship; termination of NRA relationships; NRA's governance
Jackson, Dan	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Expert	Expert on Defendants' damages claims and in rebuttal to NRA experts on same as set forth in his reports
LaPierre, Wayne ⁷	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	History of the AMc/NRA business relationship; services performed by AMc for the NRA; invoicing practices between AMc and the NRA; failure of compliance by the NRA relating to same; budgeting practices and meetings between AMc and the NRA; NRATV, including but not limited to analytics and PIP; negotiation of various contracts with AMc; negotiation of Col. North Contract; NRA's audits of AMc; NRA's litigation against AMc; NYAG investigation and lawsuit against the NRA; falsity of "extortion/coup" narrative; NRA's termination, suspension, and/or accusations made relating to certain vendors, executives, officers, and board members; NRA's governance; Representations to AMc in 2018/Spring 2019 and AMc's reliance on same; the NRA's audits

⁷ If the NRA does not voluntarily bring Mr. LaPierre to trial and/or accept a trial subpoena, AMc reserves the right and intends to call Mr. LaPierre by deposition.

Witness Name	Contact Information	Classification	Description of Testimony
			of AMc; the Brewer Firm's work for the NRA
Madrid, Jay	DORSEY & WHITNEY LLP 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Expert	Expert on Defendants' attorneys' fees and in rebuttal to any request for same by the NRA
Makris, Tony	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Probable	Services performed by AMc for the NRA; budgeting between AMc and the NRA; history and nature of the AMc/NRA business relationship over 38 years; relationship with Wayne LaPierre, but not limited to his brand, management style, strategy, messaging; harassment and threats by NRA and its representatives; the NRA's retention of the Brewer Firm and the work performed; Wayne LaPierre representations to AMc and AMc's reliance on same
Martin, Ed	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Probable	Falsity of the "extortion/coup" narrative; AMc's damages
Martin, Henry	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Probable	Services performed for NRA by AMc; NRATV; allegations regarding Dana Loesch segment; budgeting between AMc and the NRA; AMc/NRA business relationship; NRA's allegations regarding AMc's website; Wayne LaPierre representations to AMc and AMc's reliance on same
McQueen, Revan	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Probable	Services performed by AMc for the NRA; invoicing practices between AMc and the NRA; the NRA's failure of compliance relating to same; budgeting practices and meetings between AMc and the NRA; AMc/NRA business

Witness Name	Contact Information	Classification	Description of Testimony
			relationship; NRATV, including but not limited to analytics and the PIP dashboard; Col. North contract negotiations and related events; harassment by Bill Brewer and Josh Powell; NRA's allegations regarding AMc's website; NRA/AMc Third Party Contracts; AMc's damages; Wayne LaPierre representations to AMc and AMc's reliance on same
Meadows, Carolyn ⁸	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	Falsity of "extortion/coup" narrative; request for independent review of Brewer Firm fees and engagement; preservation of evidence; NRA Bankruptcy filing; NRA's governance; record keeping practices
Montgomery, Melanie	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Probable; Record Custodian	Services performed by AMc for the NRA; invoicing practices between AMc and the NRA; the NRA's failure of compliance relating to same; budgeting practices and meetings between AMc and the NRA; AMc/NRA business relationship; NRATV, including but not limited to analytics and the PIP dashboard; Col. North Contract negotiations and related events; harassment by Josh Powell; NRA's audits of AMc; WBB/LaPierre purchasing home in Dallas; NRA's allegations regarding conversion of NRA's property; NRA/AMc Third Party Contracts; AMc's damages; Wayne LaPierre representations to AMc and AMc's reliance on same
North, Lt. Col. Oliver (by deposition)	c/o Brendan Sullivan, Steven Cady WILLIAMS & CONNOLLY	Probable	Col. North Contract negotiations and related facts; work performed for AMc; duties as President of NRA;

⁸ If the NRA does not voluntarily bring Ms. Meadows to trial and/or accept a trial subpoena, AMc reserves the right and intends to call Ms. Meadows by deposition.

Witness Name	Contact Information	Classification	Description of Testimony
	725 Twelfth Street, NW Washington, D.C. 20005 (202) 434-5800		request for independent review of Brewer Firm fees and engagement; falsity of “extortion/coup” narrative; NRA’s governance
NRA 30(b)(6) Representative	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	The issues upon with the NRA’s corporate representative(s) were designated pursuant to AMc’s 30(b)(6) Notice
Peak, Jason	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Possible	Services performed by AMc for NRA; NRATV, including but not limited to analytics and the PIP dashboard
Phillips, Woody	c/o Mark Werbner WERBNER LAW 5600 W Lovers Ln Ste. 116-314 Dallas, TX 75209 (214) 884-4548	Probable	History of the AMc/NRA business relationship, including but not limited to the parties’ services agreement and amendments thereto; services performed by AMc for the NRA; invoicing practices between AMc and the NRA; failure of compliance by the NRA relating to same; budgeting practices and meetings between AMc and the NRA; NRA audits of AMc books and records; Wayne LaPierre’s knowledge concerning AMc relationship and activities thereunder; negotiation of various contracts with AMc, negotiation of Col. North Contract; NRATV, including but not limited to analytics, AMc’s retention of PIP, and the PIP dashboard; NRA’s governance; WBB/LaPierre purchasing home in Dallas; NYAG investigation and lawsuit against the NRA; the NRA’s failure to post the \$3 million line of credit as required under the Amendment to the Services Agreement; Wayne LaPierre representations to AMc and AMc’s reliance on same

Witness Name	Contact Information	Classification	Description of Testimony
Powers, Bill	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Probable	AMc public relations services performed for NRA; NRA's allegations regarding lack of leaks to media; relationship with Wayne LaPierre; prior work at the NRA
Schertler, David	SCHERTLER & ONORATO 901 New York Ave, NW #500 Washington DC, 20001	Expert	Expert on Defendants' attorneys' fees and in rebuttal to any request for same by the NRA
Schropp, Tyler	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	Use of AMc credit card in NRA advancement and courting of high-dollar NRA donors and pass-through billing relationship with AMc; prior work at AMc; NRA fundraising
Spoffard, Grant	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	Prior work at AMc; NRATV
Stanford, Gayle (by deposition)	c/o Jay Marshall Coggan JAY MARSHALL COGGAN, ATTORNEY AT LAW 9400 Via Cielo Atascadero, California 93422 (310) 407-0922	Possible	Services provided by travel agent Gayle Stanford for the NRA and pass-through billing relationship
Spray, Craig ⁹	c/o Jed M. Silvermith, Esq. BLANK ROME LLP One Logan Square 130 North 18th Street Philadelphia, PA 19103 (215) 569-5789	Probable	Invoicing practices between AMc and the NRA; failure of compliance by the NRA relating to same; budgeting practices and meetings between AMc and the NRA; change in NRA invoicing procedures in 2018; AMc's compliance with same

⁹ If the NRA does not voluntarily bring Mr. Spray to trial and/or accept a trial subpoena, AMc reserves the right and intends to call Mr. Spray by deposition.

Witness Name	Contact Information	Classification	Description of Testimony
Supernaugh, Lisa ¹⁰	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	Invoicing practices between AMc and the NRA; failure of compliance by the NRA relating to same; budgeting practices and meetings between AMc and the NRA; change in NRA invoicing procedures in 2018; AMc's compliance with same
Tavangar, Nader	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Probable; Record Custodian	Services performed by AMc for the NRA; AMc invoicing practices and procedures; AMc/NRA business relationship; Wayne LaPierre expenses; NRA's allegations regarding Megan Allen; NRATV, including but not limited to analytics and the PIP dashboard; NRA/AMc Third Party Contracts; AMc's damages; Wayne LaPierre representations to AMc and AMc's reliance on same
Tedrick, Rick ¹¹	c/o BREWER ATTORNEYS & COUNSELORS 1717 Main St. #5900 Dallas, Texas 75201 (214) 653-4000	Probable	Invoicing practices between AMc and the NRA; failure of compliance by the NRA relating to same; internal NRA budgeting procedure; NRA's audits of AMc
Trahar, Michael (by deposition)	c/o Ada Fernandez Johnson, Kara Brockmeyer DEBEVOISE & PLIMPTON 901 Pennsylvania Avenue Washington, D.C. 20004 (202) 383-8036	Possible	Forensic Risk Alliance February 2019 audit of AMc books and records and findings related to same
Wang, Eric	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Possible	Services performed by AMc for NRA; NRATV, including but not limited to analytics, AMc's retention of PIP, and the PIP dashboard; Wayne LaPierre representations to AMc and AMc's reliance on same

¹⁰ If the NRA does not voluntarily bring Ms. Supernaugh to trial and/or accept a trial subpoena, AMc reserves the right and intends to call Ms. Supernaugh by deposition.

¹¹ If the NRA does not voluntarily bring Mr. Tedrick to trial and/or accept a trial subpoena, AMc reserves the right and intends to call Mr. Tedrick by deposition.

Witness Name	Contact Information	Classification	Description of Testimony
Winkler, Bill	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Probable; Record Custodian	Invoicing practices between AMc and the NRA; the NRA's failure of compliance relating to same; AMc's finances, accounting, and recordkeeping; Col. North Contract negotiations and related events; the NRA's new compliance procedures in August 2018, and the continued back and forth correspondence between the NRA and AMc regarding same; NRA examinations of AMc books and records and the back and forth correspondence regarding same; April 2019 letters requesting information from the NRA that the NRA knew AMc did not have in its possession and that formed the basis, in part, of the NRA's initial lawsuit against AMc; WBB/LaPierre purchasing home in Dallas; NRA/AMc Third Party Contracts; AMc's damages; Wayne LaPierre representations to AMc and AMc's reliance on same
Winkler, Brandon	c/o DORSEY & WHITNEY 300 Crescent Ct., Ste. 400 Dallas, Texas 75201 (214) 981-9900	Probable; Record Custodian	AMc's finances, accounting, and recordkeeping; the NRA's new compliance procedures in August 2018; NRA examinations of AMc books and records; NRA/AMc Third Party Contracts; AMc's damages; Wayne LaPierre representations to AMc and AMc's reliance on same
Any witness necessary to authenticate exhibits on AMc's Trial Exhibit List or the NRA's Trial Exhibit Lists.			
Any witness necessary to rebut and/or impeach the testimony of a witness called or designated by the NRA.			
Any witness designated on the NRA's Witness Lists.			